

## MINUTES

### MONTANA HOUSE OF REPRESENTATIVES 64th LEGISLATURE - REGULAR SESSION

#### COMMITTEE ON NATURAL RESOURCES

**Call to Order:** Chair Kerry White, on February 20, 2015 at 3:00 PM, in Room 172  
Capitol

#### ROLL CALL

**Members Present:**

Rep. Kerry White, Chair (R)  
Rep. Ed Lieser, Vice Chair (D)  
Rep. Bob Brown (R)  
Rep. Zach Brown (D)  
Rep. Virginia Court (D)  
Rep. Mary Ann Dunwell (D)  
Rep. Kelly Flynn (R)  
Rep. Theresa Manzella (R)  
Rep. Nate McConnell (D)  
Rep. Dale Mortensen (R)  
Rep. Mark Noland (R)  
Rep. Keith Regier (R)  
Rep. Scott Staffanson (R)

**Members Excused:** Rep. Steve Fitzpatrick, Vice Chair (R)  
Rep. Gerald (Jerry) Bennett (R)  
Rep. Andrea Olsen (D)  
Rep. Ray L. Shaw (R)  
Rep. Kathleen Williams (D)

**Members Absent:** None

**Staff Present:** Joe Kolman, Legislative Branch  
Sherri Row, Committee Secretary

**Audio Committees:** These minutes are in outline form only. They provide a list of participants and a record of official action taken by the committee. The link to the audio recording of the meeting is available on the Legislative Branch website.

**Committee Business Summary:**

Hearing & Date Posted: HB 541, 2/17/2015; HB 570, 2/17/2015; HB 525, 2/17/2015; HB 553, 2/17/2015;

Executive Action on: HB 519; HB 465; HJ 19; HB 570; HB 541; HB 553; HB 525;

00:00:05 Chairman White  
00:02:00 Rep. Fitzpatrick arrived

**HEARING ON HB 541**

**Opening Statement by Sponsor:**

00:02:36 Rep. Bill Harris (R), HD 29, opened the hearing on HB 541, Revise laws related to property right sales.

**Proponents' Testimony:**

00:05:30 Dan Happel, self

**Opponents' Testimony:**

00:06:19 Dave Galt, Montana Petroleum Association (MPA)

**Informational Testimony:**

00:07:51 Jane Darnell, USDA Forest Service

00:09:07 Rep. Olsen arrived

**Questions from Committee Members and Responses:**

00:09:56 Rep. Fitzpatrick  
00:10:21 Rep. Harris  
00:10:44 Rep. Fitzpatrick  
00:10:58 Rep. Harris  
00:11:22 Rep. Staffanson  
00:11:46 Dave Galt, MPA  
00:12:01 Rep. Staffanson  
00:12:20 Dave Galt, MPA  
00:12:53 Rep. Lieser  
00:13:17 Rep. Harris  
00:13:27 Rep. Flynn  
00:14:14 Rep. Harris  
00:15:22 Rep. Dunwell  
00:16:04 Jane Darnell, USDA Forest Service  
00:18:24 Rep. Jerry Bennett arrived  
00:18:31 Rep. Court  
00:19:19 Rep. Harris  
00:20:47 Rep. Court  
00:21:19 Rep. Harris  
00:21:35 Rep. Court  
00:21:52 Rep. Harris  
00:22:20 Rep. Court  
00:23:18 Jane Darnell

**Closing by Sponsor:**

00:24:18 Rep. Harris

**HEARING ON HB 553**

**Opening Statement by Sponsor:**

00:28:07 Rep. Mark Noland (R), HD 10, opened the hearing on HB 553, Generally revise aquatic invasive species laws.

**Proponents' Testimony:**

00:33:30 Karen Miske, Flathead Basin Commission

[EXHIBIT\(nah39a01\)](#)

[EXHIBIT\(nah39a02\)](#)

00:36:50 Celestine Duncan, Sanders County Task Force

[EXHIBIT\(nah39a03\)](#)

[EXHIBIT\(nah39a04\)](#)

00:38:48 Mark Aagenes, Montana Trout Unlimited

00:39:49 Robin Cunningham, Fishing Outfitters Association

00:40:30 Holly Franz, Clark Fork Task Force

00:41:05 Chelcie Cremer, Montana Farm Bureau Federation

00:41:49 Mike Murphy, Montana Water Resources Association

00:42:44 Greg Ames, Department of Agriculture

00:43:09 Gary Wiens, Montana Electric Cooperatives

00:43:52 Art Noonan, Northwestern Energy

00:44:55 Jacob Cowgill, Montana Farmers Union

00:45:16 Jeff Tiberi, Montana Conservation District

00:45:27 Greg McCormick, Flathead Lakers

00:47:00 Karen Laitala, Blackfoot Challenge and Powell County Weed Coordinator

00:48:58 John Moodry, Butte Silverbow Weed District

00:49:37 Lindsey Bona-Eggeman, Montana Weed Control Association

[EXHIBIT\(nah39a05\)](#)

00:50:28 Ray Beck, Department of Natural Resources and Conservation (DNRC)

00:50:53 Bruce Rich, Fish Wildlife and Parks (FWP)

00:51:22 Amy Seaman, Montana Audubon

[EXHIBIT\(nah39a06\)](#)

00:51:53 Sean Morigeau, Salish-Kootenai Tribes

00:52:41 Jim Olivarez, Missoula County Weed District

00:53:06 Jerry Marks, Missoula Weed Control District

00:53:44 Curtis Spindler, Sanders County Aquatic Invasive Species Task Force, Bass Nation

**Opponents' Testimony:**

00:54:19 Spook Stang, Motor Carriers of Montana

**Informational Testimony:**

00:57:35 Jon Swartz, Department of Transportation (MDT)

**Questions from Committee Members and Responses:**

00:58:50 Rep. Regier  
 00:59:32 Jon Swartz, MDT  
 01:00:11 Rep. Regier  
 01:00:30 Jon Swartz, MDT  
 01:00:41 Rep. Lieser  
 01:01:14 Karen Miske, Flathead Basin Commission  
 01:01:35 Rep. Lieser  
 01:01:58 Karen Miske, Flathead Basin Commission  
 01:02:33 Rep. Lieser  
 01:02:59 Karen Miske, Flathead Basin Commission  
 01:03:14 Rep. Williams arrived  
 01:03:45 Rep. Court  
 01:04:48 Jon Swartz, MDT  
 01:05:40 Rep. Court  
 01:05:44 Jon Swartz, MDT  
 01:06:02 Rep. Flynn  
 01:06:33 Rep. Noland  
 01:06:46 Karen Miske, Flathead Basin Commission  
 01:08:53 Rep. Flynn  
 01:09:15 Karen Miske, Flathead Basin Commission  
 01:10:05 Rep. Jerry Bennett  
 01:10:40 Rep. Noland  
 01:11:37 Rep. Jerry Bennett  
 01:12:49 Rep. Noland  
 01:13:35 Rep. Jerry Bennett  
 01:13:59 Rep. Noland  
 01:14:25 Rep. Jerry Bennett  
 01:14:40 Chairman White  
 01:15:34 Rep. Noland  
 01:15:41 Chairman White  
 01:15:52 Rep. Noland

**Closing by Sponsor:**

01:16:29 Rep. Noland

**HEARING ON HB 525**

**Opening Statement by Sponsor:**

01:18:44 Rep. Mark Noland (R), HD 10, opened the hearing on HB 525, Revise aquatic invasive species fund laws.

**Proponents' Testimony:**

01:21:31 Celestine Duncan, Sanders County Task Force  
 01:23:30 Greg Ames, Department of Agriculture  
 01:23:51 Karen Laitala, Blackfoot Challenge and Powell County Weed Coordinator

01:24:45 Mark Aagenes, Montana Trout Unlimited  
 01:25:02 Robin Cunningham, Fishing Outfitters Association  
 01:25:20 Curtis Spindler, Sanders County Aquatic Task Force  
 01:25:58 Ray Beck, Department of Natural Resources and Conservation  
 01:26:21 Sean Morigeau, Salish-Kootenai Tribes  
 01:26:59 Holly Franz, Clark Fork Task Force  
 01:27:25 Amy Seaman, Montana Audubon

**EXHIBIT(nah39a07)**

01:27:49 Chelcie Cremer, Montana Farm Bureau Federation  
 01:28:10 Mike Murphy, Montana Water Resources Association  
 01:28:35 Gary Wiens, Montana Electric Cooperative Association  
 01:28:57 Jacob Cowgill, Montana Farmers Union  
 01:29:09 Bruce Rich, Fish, Wildlife and Parks (FWP)  
 01:29:28 Jim Jensen, Montana Environmental Information Center (MEIC)  
 01:29:52 Greg McCormick, Flathead Lakers  
 01:30:33 Lindsey Bona-Eggeman, Montana Weed Control Association  
 01:31:03 John Moodry, Butte Silverbow Weed District  
 01:32:24 Jim Olivariz, Missoula County Weed District  
 01:32:48 Jerry Marks, Missoula County Weed District  
 01:33:31 Karen Miske, Flathead Basin Commission

**Opponents' Testimony:** None

**Informational Testimony:** None

**Questions from Committee Members and Responses:**

01:34:13 Rep. Staffanson  
 01:34:46 Rep. Noland  
 01:34:50 Rep. Williams  
 01:35:55 Karen Miske, Flathead Basin Commission  
 01:36:57 Rep. Lieser  
 01:37:20 Karen Miske, Flathead Basin Commission  
 01:38:05 Chairman White

**Closing by Sponsor:**

01:38:40 Rep. Noland  
  
 01:40:16 Recess  
 01:53:50 Reconvened  
 01:53:51 Rep. Shaw arrived

**HEARING ON HB 570**

**Opening Statement by Sponsor:**

01:53:55 Rep. Clayton Fiscus (R), HD 43, opened the hearing on HB 570, Revise flood plain notification process.  
  
 01:55:00 Rep. Court left

**Proponents' Testimony:** None

**Opponents' Testimony:**

02:04:18 Tim Davis, Department of Natural Resources and Conservation (DNRC)

**Informational Testimony:** None

**Questions from Committee Members and Responses:**

02:06:39	Rep. Regier
02:07:06	Rep. Fiscus
02:08:18	Rep. Regier
02:08:36	Rep. Fiscus
02:08:52	Rep. Regier
02:09:04	Rep. Fiscus
02:09:13	Rep. Williams
02:09:31	Tim Davis, DNRC
02:09:55	Rep. Williams
02:10:10	Tim Davis, DNRC
02:10:31	Rep. Williams
02:10:45	Tim Davis, DNRC
02:11:07	Rep. Olsen
02:11:53	Tim Davis, DNRC
02:12:22	Rep. Olsen
02:12:27	Tim Davis, DNRC
02:12:47	Rep. Dunwell
02:13:33	Tim Davis, DNRC
02:14:05	Rep. Dunwell
02:14:48	Rep. Fiscus
02:16:07	Rep. Flynn
02:16:28	Tim Davis, DNRC
02:17:22	Rep. Shaw
02:17:38	Tim Davis, DNRC
02:17:54	Chairman White
02:18:30	Tim Davis, DNRC
02:18:57	Chairman White
02:19:43	Tim Davis, DNRC
02:20:17	Chairman White
02:20:25	Rep. Fitzpatrick arrived
02:21:14	Tim Davis, DNRC
02:21:28	Joe Kolman, Legislative Services Division (LSD)
02:21:48	Chairman White
02:22:20	Tim Davis, DNRC
02:22:44	Chairman White
02:22:50	Tim Davis, DNRC

**Closing by Sponsor:**

02:23:08 Rep. Fiscus

02:26:10 Chairman White

02:26:17 Recess

02:37:53 Reconvened

02:38:00 Chairman White

**EXECUTIVE ACTION ON HB 519**

02:38:44 **Motion:** Rep. Fitzpatrick moved that **HB 519 DO PASS.**

**Discussion:**

**EXHIBIT**(nah39a08)

02:39:14 Chairman White

02:39:18 Joe Kolman, LSD

02:41:15 Rep. Williams

02:41:21 Joe Kolman, LSD

02:44:40 **Motion:** Rep. Fitzpatrick moved that **HB 519 BE AMENDED.**

**Discussion:**

02:44:59 Chairman White

02:45:06 Joe Kolman, LSD

02:47:28 Chairman White

02:47:40 Joe Kolman, LSD

02:53:10 Chairman White

02:53:28 Rep. Flynn

02:54:22 Rep. Zach Brown

02:56:28 Rep. Shaw

02:57:35 Rep. Williams

02:58:26 Rep. Dunwell

02:59:16 Rep. Jerry Bennett

03:00:48 **Vote:** Motion carried 17-1 by voice vote with Rep. Dunwell voting no. Rep. Court voted by proxy.

03:01:12 **Motion:** Rep. Fitzpatrick moved that **HB 519 DO PASS AS AMENDED.**

**Discussion:**

03:01:23 Rep. Williams

03:04:37 Rep. Staffanson

03:05:12 Rep. Flynn

03:06:51 Rep. Zach Brown

03:08:49 Chairman White

03:10:12 Rep. Olsen

03:11:14 **Vote:** Motion carried 11-7 by roll call vote with Rep. Zach Brown, Rep. Court, Rep. Dunwell, Rep. Lieser, Rep. McConnell, Rep. Olsen and Rep. Williams voting no. Rep. Court voted by proxy.

03:12:00 Rep. Regier left

**EXECUTIVE ACTION ON HB 465**

03:12:41 **Motion:** Rep. Fitzpatrick moved that **HB 465 DO PASS.**

03:13:12 **Motion:** Rep. Manzella moved that **HB 465 BE AMENDED.**

**Discussion:**

**EXHIBIT(nah39a09)**

03:13:47 Rep. Manzella

03:14:48 Joe Kolman, LSD

03:18:21 Chairman White

03:19:23 Rep. Fitzpatrick

03:19:40 Joe Kolman, LSD

03:21:15 Rep. Lieser

03:21:27 Joe Kolman, LSD

03:22:03 Rep. Williams

03:22:35 Chairman White

03:23:40 Rep. Manzella

03:24:01 Rep. Williams

03:24:56 Rep. Jerry Bennett

03:26:07 Rep. McConnell

03:26:48 Joe Kolman, LSD

03:27:31 Rep. McConnell

03:28:24 Rep. Fitzpatrick

03:28:49 Rep. Flynn

03:29:37 **Vote:** Motion carried 11-7 by roll call vote with Rep. Zach Brown, Rep. Court, Rep. Dunwell, Rep. Lieser, Rep. McConnell, Rep. Olsen and Rep. Williams voting no. Rep. Court and Rep. Regier voted by proxy.

03:31:05 **Motion/Vote:** Rep. Fitzpatrick moved that **HB 465 DO PASS AS AMENDED.** Motion failed 9-9 by roll call vote with Rep. Jerry Bennett, Rep. Bob Brown, Rep. Flynn, Rep. Manzella, Rep. Mortensen, Rep. Noland, Rep. Regier, Rep. Staffanson and Rep. White voting aye. Rep. Court and Rep. Regier voted by proxy.

03:32:29 **Motion/Vote:** Rep. Fitzpatrick moved that **HB 465 BE TABLED.** Motion carried 16-0 by voice vote.

**EXECUTIVE ACTION ON HJ 19**

03:32:58 **Motion/Vote:** Rep. Fitzpatrick moved that **HJ 19 DO PASS.** Motion failed 9-9 by roll call vote with Rep. Zach Brown, Rep. Court, Rep. Dunwell, Rep. Fitzpatrick, Rep. Lieser, Rep. McConnell, Rep. Olsen, Rep. Shaw and Rep. Williams voting aye. Rep. Court and Rep. Regier voted by proxy.

03:35:01 **Motion/Vote:** Rep. Fitzpatrick moved that **HJ 19 BE TABLED.** Motion carried 16-0 by voice vote.



**EXECUTIVE ACTION ON HB 570**

03:35:23 **Motion:** Rep. Fitzpatrick moved that **HB 570 DO PASS.**

03:35:57 **Substitute Motion/Vote:** Rep. Jerry Bennett made a substitute motion that **HB 570 BE TABLED.** Substitute Motion carried 17-1 by voice vote with Rep. Staffanson voting no. Rep. Court and Rep. Regier voted by proxy.

**EXECUTIVE ACTION ON HB 541**

03:36:34 **Motion:** Rep. Fitzpatrick moved that **HB 541 DO PASS.**

**Discussion:**

03:36:52 Rep. Fitzpatrick

03:37:14 Rep. Flynn

03:37:52 **Substitute Motion/Vote:** Rep. B. Brown made a substitute motion that **HB 541 BE TABLED.** Substitute Motion carried 17-1 by voice vote with Rep. Staffanson voting no. Rep. Court and Rep. Regier voted by proxy.

03:38:28 Rep. Jerry Bennett

**EXECUTIVE ACTION ON HB 553**

03:40:06 **Motion:** Rep. Fitzpatrick moved that **HB 553 DO PASS.**

**Discussion:**

03:40:17 Rep. Lieser

03:40:48 Chairman White

03:41:37 Rep. Bob Brown

03:42:12 Rep. Jerry Bennett

03:43:12 Rep. Shaw

03:44:02 **Vote:** Motion carried unanimously by voice vote. Rep. Court and Rep. Regier voted by proxy.

**EXECUTIVE ACTION ON HB 525**

03:44:52 **Motion:** Rep. Fitzpatrick moved that **HB 525 DO PASS.**

**EXHIBIT(nah39a10)**

03:45:21 **Motion:** Rep. Fitzpatrick moved that **HB 525 BE AMENDED.**

**Discussion:**

03:45:34 Joe Kolman, LSD

- 03:46:27     **Vote:** Motion carried unanimously by voice vote. Rep. Court and Rep. Regier voted by proxy.
- 03:46:53     **Motion/Vote:** Rep. Fitzpatrick moved that **HB 525 DO PASS AS AMENDED**. Motion carried unanimously by voice vote. Rep. Court and Rep. Regier voted by proxy.
- 03:48:21     Chairman White

**ADJOURNMENT**

03:48:36      Adjournment:

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Sherri Row, Secretary

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Additional Documents:

**EXHIBIT**([nah39aad.pdf](#))